

Atty. Dkt. No. 03CR144/KE

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

In Section 1 of the Office Action, the Examiner rejected claims 1-24 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. The Examiner indicated that independent claims 1, 10, 18, and 22 are indefinite and unclear in that they are misdescriptive of the disclosed invention. The Examiner notes that "in the disclosed invention, the threshold has changed depending on a threshold value stored related to the location." Applicants disagree with the Examiners § 112 rejection and request its withdrawal.

For example, applicants direct the Examiners attention to independent claim 1 which recites a method of adapting weather radar thresholds, comprising generating a location from a location sensor. Applicants refer the Examiner to paragraph [0017], line 16, which states "database 260 may be used to describer whether a specific location (i.e., latitude, longitude) is either a maritime or a continental location." Accordingly, what is being disclosed is that location of aircraft may be determined from a location sensor and that the type of weather, either maritime, continental, or transitional may be determined based on the location of the aircraft. See also paragraph [0017], starting at line 5 which recites "in an exemplary embodiment, processing device 230 also access a database 260 which contains information relating to the type of weather, including, but not limited to continental weather, maritime weather, or transitional weather based on the location of the aircraft." Accordingly, retrieving information representative of a weather type from a database, based on the location, is taught in the disclosure. Applicants then recite "adjusting, automatically, the threshold for a radar display based on the information." Here the information is the type of weather which is retrieved from the database based on the location of the aircraft." Applicants refer the Examiner to paragraph [0017], starting on line 9 which recites "processing device 230 may also be configured with instructions which calculate and/or determine an appropriate adjustable threshold command via a control law which is based on the type of weather being observed." Accordingly, it is clear that what applicants have disclosed is adjusting, using a

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control law, thresholds for the radar display based on the information which is the type of weather which is being observed and the type of weather being observed is based on the location of the aircraft. The Examiner has recited that "in the disclosed invention, the threshold has changed depending on a threshold value stored related to the location." Applicants respectfully submit that this statement by the Examiner is not entirely accurate. What applicants have described is that thresholds are changed depending on a control law that takes into account whether the aircraft is located in a maritime, continental, or a transitional location. Therefore, what is retrieved from the database is an indication of what type of weather the aircraft radar is observing and the type of weather is based on the location of the aircraft. When the type of weather is retrieved, the control law to use can then be determined.

Applicants respectfully submit the above comments made with regard to independent claim 1 also are applicable to independent claims 10 and 18.

With regard to independent claim 22 applicants respectfully submit that claim 22 is directed to "a method of adapting weather radar tilt angle, the weather radar being onboard an aircraft." Accordingly, the Examiner's remarks with regard to the indefiniteness and clarity of the invention are not applicable. Applicants direct the Examiner to paragraph [0020], among others, for any clarification of claim 22 and its dependents.

In accordance with all of the above comments, applicants respectfully request withdrawal of the § 112, second paragraph, rejection of claims 1-24. Further, applicants respectfully request allowance of claims 1-24.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 18-1722. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 18-1722. If any extensions of time are needed for timely acceptance of

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papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R.
§1.136 and authorizes payment of any such extensions fees to Deposit Account No. 18-1722.

Respectfully submitted,

Date 13 Apr 04By Nathan O Jensen

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